

REMARKS

The Office Action dated June 10, 2010, has been received and carefully noted. The above amendments and the following remarks are being submitted as a full and complete response thereto. Claims 1, 15-16 and 20-41 are pending in this application. By this Amendment, claims 1, 15, 16, and 30 are amended. No new matter has been added. Reconsideration of the application is respectfully requested.

The Office Action rejects claims 1, 21 and 23 under 35 U.S.C. § 103(a) as being obvious over Brazier (U.S. Patent No. 6,686,952) in view of Kaye (U.S. Patent No. 5,497,188); claims 15-16, 20 and 22 under 35 U.S.C. § 103(a) as being obvious over Brazier in view of Kaye and House et al. (U.S. Patent No. 5,878,283); claims 24 and 27-30 under 35 U.S.C. § 103(a) as being obvious over Brazier in view of Kaye and Conoval (U.S. Patent No. 6,400,903); claims 25 and 26 under 35 U.S.C. § 103(a) as being obvious over Brazier in view of Kaye and Gilbert (U.S. Patent No. 6,337,683); claims 31 and 32 under 35 U.S.C. § 103(a) as being obvious over Brazier in view of Kaye and Conoval and further in view of Monroe (U.S. Patent Application Publication No. 2004/0008253); claim 33 under 35 U.S.C. § 103(a) as being obvious over Brazier in view of Kaye, House and Cutaia (U.S. Patent Application Publication No. 2002/0004390); claim 34 under 35 U.S.C. § 103(a) as being obvious over Brazier in view of Kaye and Nayar (U.S. Patent No. 6,215,519); claim 35 under 35 U.S.C. § 103(a) as being obvious over Brazier in view of Kaye and Conoval, and further in view of Nayar; claims 36 and 37 under 35 U.S.C. § 103(a) as being obvious over Brazier in view of Kaye, House and Nayar; claim 38 under 35 U.S.C. § 103(a) as being obvious over Brazier in view of Kaye and further in view of Fettke (Digital Image

Computing Technique and Application; Jan. 2002; pp. 1-6); claim 39 under 35 U.S.C.

§ 103(a) as being obvious over Brazier in view of Kaye, Conoval and Fettke; and claims 40-41 under 35 U.S.C. § 103(a) as being obvious over Brazier in view of Kaye, House and Fettke. It is noted that claims 1, 15, 16 and 30 have been amended. To the extent that the rejections remain application to the claims as amended, the rejections are respectfully traversed.

In particular, the above-identified application claims a surveillance device that includes a support having a top circular plate, a bottom circular plate and an intermediate circular plate, the top and bottom circular plates being axially spaced apart along a central column, the intermediate circular plate being disposed intermediate the top and bottom circular plates, the support further comprising a first cylindrical wall extending between the top cylindrical plate and the intermediate cylindrical plate, a second cylindrical wall extending downwardly from the intermediate circular plate and a third cylindrical wall extending upwardly from the bottom circular plate, the second cylindrical wall and the third cylindrical wall defining a slot of constant width therebetween, a first image collection device secured to the first cylindrical wall, a second image collection device and a servo motor, the second image collection device being mounted below the first image collection device and being movable to and fro in the slot by the servo motor, the second image collection device having an optical axis whereby the servo motor is constructed and arranged to regulate the direction of the optical axis of the second image collection device, wherein the first cylindrical wall comprises a plurality of mounting sockets for the first image collection device, the plurality of mounting sockets being disposed regularly and

circumferentially around the first cylindrical wall, the first image collection device being thereby fixedly secured to the support, as recited in amended claim 1, and as similarly recited in amended claims 15, 16 and 30.

The Office Action associates Brazier's motion sensor 30 with the claimed first image collection device, and Brazier's video camera 32 with the claimed second image collection device (Office Action, page 3, lines 4-9). Brazier as cited teaches a surveillance security system for detecting and monitoring movement upon one's property (Abstract). However, a closer examination of Brazier as cited reveals that the support base 14 of Brazier does not disclose or suggest at least the combination of a top circular plate, a bottom circular plate and an intermediate circular plate, as recited in the amended claims and that the motion sensor 30 has cylindrical walls extending between the top cylindrical plate and the intermediate cylindrical plate, downwardly from the intermediate circular plate, and upwardly from the bottom circular plate, the second cylindrical wall and the third cylindrical wall defining a slot of constant width therebetween, as further recited in amended claims 1, 15, 16 and 30.

Furthermore, Fig. 3 of Brazier clearly indicates that the video camera 32, associated in the Office Action with the claimed second image collection device, is located above the motion sensor 30, associated in the Office Action to the claimed first image collection device, not below the motion sensor 30. Accordingly, Brazier as cited fails to disclose or suggest at least the specifically recited feature of the second image collection device being mounted below the first image collection device, as recited in amended claims 1, 15, 16 and 30.

Applicants submit that because Brazier fails to teach at least the above-discussed combination of features of amended claims 1, 15, 16 and 30, Brazier cannot provide a structure flexible enough to permit surveillance in a 180° arc.

Applicants submit that none of the other applied references, alone or in combination, cure the deficiencies in Brazier in disclosing or rendering obvious the features of amended claims 1, 15, 16 and 30.

For at least the above combination of reasons, claims 1, 15, 16 and 30, as amended, are patentable over all the applied references. Claims 20-29 and 31-41, at least for their dependence on patentable claims 1, 15, 16 and 30, and for the features recited therein, are also patentable over all the applied references. As a result, all the pending claims are patentable over all the applied references, and withdrawal of the rejections of the claims under 35 U.S.C. § 103(a) is respectfully requested.

Should the Examiner determine that any further action is necessary to place this application into better form for allowance, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, referencing Attorney Dkt. No. 033108-00001.

Respectfully submitted,



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